

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
NATHAN GARNERE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

MEDLINE INDUSTRIES, L.P.,
Defendant.

x

x

ORDER

23 CV 1592 (VB)

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Plaintiff brings this action invoking subject matter jurisdiction under the Class Action Fairness Act, 28 U.S.C. § 1332(d).

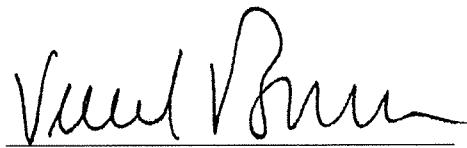
To invoke subject matter jurisdiction under 28 U.S.C. § 1332(d), a plaintiff must show “any member of [the] class of plaintiffs is a citizen of a State different from any defendant.” 28 U.S.C. 1332(d)(2)(A). A limited partnership has the citizenship of each of its general and limited partners. Handelsman v. Bedford Vill. Assocs. Ltd. P’ship, 213 F.3d 48, 51–52 (2d Cir. 2000).

Here, the complaint alleges defendant is “an Illinois limited partnership with a principal place of business in Northfield, Illinois.” (Doc. #1 ¶ 10). However, state of formation and principal place of business are irrelevant to the citizenship of a limited partnership, and the complaint does not identify the citizenship of each of defendant’s general and limited partners.

Accordingly, by March 7, 2023, plaintiff shall submit a letter clarifying defendant’s citizenship so the Court can determine whether there is the requisite diversity in this case.

Dated: February 28, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge